

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, et al.,

v.

AMERICAN EXPRESS CO., et al.

Case No. 10-CV-04496-NGG-RER

IN RE AMERICAN EXPRESS ANTI-  
STEERING RULES ANTITRUST  
LITIGATION (II)

Master File No.: 11-MD-02221-NGG-RER

This Document Relates to: ALL ACTIONS

**ORDER**

**WHEREAS**, pursuant to this Court's July 26, 2011 Order, Defendants American Express Co. and American Express Travel Related Services Co., Inc. (collectively "American Express") provided notice to third parties of the need to appear at an October 12, 2011 hearing if they objected to the production of American Express's summary judgment materials and expert reports from *American Express Travel Related Services Company, Inc., v. Visa U.S.A., Inc., et al.*, No. 04 Civ. 8367 (BSJ) (DFE) (S.D.N.Y.) (the "*Amex v. Visa Materials*");

**WHEREAS** the notice provided that if a third party failed to appear at the October 12 hearing, it would be deemed to have waived any objection to disclosure; and

**WHEREAS** no third party appeared at the October 12 hearing to object to the production;

**IT IS HEREBY ORDERED** that American Express produce the *Amex v. Visa Materials* in this action within two business days of the entry of this Order. Such materials shall be marked "Highly Confidential" under the terms of the protective orders in these cases.

**SO ORDERED.**

Dated: 10/13/11  
Brooklyn, New York

/s/ RER  
**Ramon E. Reyes, Jr.**  
United States Magistrate Judge